

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
COLUMBIA DIVISION

ASSOCIATION CONCERNED OVER)	
RESOURCES AND NATURE, INC.,)	
)	
Plaintiff)	
)	
v.)	No. 1:10-0085
)	Judge Campbell/Brown
)	
CITY OF MOUNT PLEASANT,)	
TENNESSEE, JAMES C.)	
HAILEY & CO.,)	
)	
Defendants)	
)	
and)	
)	
JAMES C. HAILEY & CO.,)	
)	
Third-Party Defendant)	

O R D E R

A telephone conference was held with the parties in this matter on May 16, 2011. A third party, James C. Hailey & Co., has been added as a third-party Defendant (Docket Entry 39). Mr. Gibson, who will be representing the third-party Defendant, participated in the telephone conference call, although they have not yet been formally served.

With the entry of a new party in the case, the present scheduling order (Docket Entry 26) as amended by Docket Entry 38 will need to be revised. The parties are requested to submit a revised agreed scheduling order on or before **June 15, 2011**, if possible. If the parties are unable agree on a scheduling order a telephone conference is set for **June 21, 2011, at 9:30 a.m. CDT**.

To participate in the conference call, parties shall call 615-695-2851 at the scheduled time.

In the interim the expert deadline for Plaintiff is extended to **July 15, 2011**. Responses are extended to **August 15, 2011**, and rebuttal is extended to **August 31, 2011**.

The existing parties at the present time would like to retain the **April 12, 2012**, recommended trial date. However, the new party needs additional time to consider the case and what, if any, discovery will need to be redone. The parties should revise the recommended trial date and any proposed scheduling order along with a revised estimate of the trial time given a new party.

The parties should also consider including in the scheduling order any recommendations for alternative dispute resolution. The undersigned is willing to work with the parties to schedule a settlement conference with one of the Magistrate Judges or the parties may certainly use a private mediator.

It is so **ORDERED**.

/s/ Joe B. Brown
JOE B. BROWN
United States Magistrate Judge